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June 11, 2009

Nora Gierloff
Deputy Director DCD
City of Tukwila
6300 Southcenter Blvd
Tukwila, WA 98188

Re: *Draft Tukwila Urban Center Plan*

Dear Ms. Gierloff:

We are writing on behalf of our client, Target Corporation, to expand on the comments we made at the Planning Commission hearing on May 28th. We appreciate this opportunity to continue our work with the City on fine-tuning a plan that will accomplish the essential goals of the city and of the stakeholders who will be guided by the urban center plan.

We have had an opportunity to review the current draft plan, although because of its scope and complexity further careful review will be necessary before we are comfortable that we fully understand the implications and nuances of that plan. The scope of the imagination and creativity incorporated in the vision that this plan sets forth is impressive. But, Target believes that, if this plan is implemented as currently proposed, it would damage – not enhance – the economic heart of the Tukwila. This would be a result directly opposite that intended by the plan.

The basis for this conclusion is that the implementation measures set forth in Book II: Development Code would require massive redesign and reconstruction of existing retail uses whenever relatively modest amounts were invested in modernizing and upgrading the buildings where those uses are located. These requirements would have the perverse effect of preventing the continuing investments needed to maintain an economically viable retail use. That is, faced with a decision to proceed with plans to invest in its existing store in Tukwila that would trigger compliance with the requirements set forth in the Development Code, Target would simply forego its investment in modernization.



EXHIBIT 19 DATE 6/11/09
PROJECT NAME TUC PLAN
FILE NO LO9-008

500 Galland Building
1221 Second Avenue
Seattle, Washington
98101-2925

phone 206.623.1745
fax 206.623.7789
www.hcmp.com

A PROFESSIONAL SERVICE CORPORATION

Target has evaluated the standards and requirements in the proposed plan in light of their potential short-term plans to undertake an interior modernization of its existing store and its potential mid-term plans to expand the store by 10% to 15%. Target knows that such reinvestment in their existing stores is essential to meet the changing needs of its guests and to continue to be competitive in the rapidly evolving retail marketplace. The failure to make these ongoing investments will ultimately undermine the economic vitality of this store.

We have attached a table prepared by Target that is not all encompassing but that does identify some of the more obvious examples of the problems inherent in the current draft of the Development Code. Essentially, this table demonstrates that both the potential short and mid-term plans that Target has for this store could trigger requirements that would effectively require a complete demolition and rebuilding of its existing store. Faced with such requirements, Target would simply forego the investments needed to maintain this store as an economically viable and productive location.

Of course, it goes without saying that such a long-term decline in the economic competitiveness of Tukwila's urban center is counter not only to Target's interests, but to the City of Tukwila's as well. In fact, the City's comprehensive plan establishes that the "primary focus of the Plan was retaining the TUC's competitive edge and economic strength" *Tukwila Comprehensive Plan*, at 109 (2008).

There are two potential solutions to this problem. The first is simply to change the level of new investment that would trigger the requirements to undertake substantial reconstruction of existing uses. Certainly that is one of the issues we will discuss as the stakeholders work with City staff to revise the draft plan.

But, we believe that wisdom counsels greater caution than such an incremental approach. The current draft plan embodies a vision radically different from the existing development and uses within Tukwila's urban center. The continued economic vitality of those existing uses is essential to Tukwila's financial ability to make the public investments needed to realize the vision of the plan. The City should take great care in its efforts to radically change this critical component of the fabric of Tukwila.

We therefore recommend that the City limit the geographical area within which the Development Code will apply for a sufficient length of time to ensure that the actions it would require can be undertaken successfully and without needless damage to existing uses. Such a strategy would have the added benefit of allowing the City to concentrate public investment in the chosen area to foster the conditions that would encourage private investment in keeping with the plan's vision.

EXHIBIT _____
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Once the plan has been operationally tested and once the City's investments and private investments have created the market conditions that would support the uses envisioned by the plan, the implementation of the plan can be extended to the remainder of the Tukwila urban center. This strategy would be consistent with the City's comprehensive plan, which recognizes that it will take 30 to 50 years to realize the vision for the urban center and that states:

Achieving this long-range future vision is anticipated to be a gradual process. It should be achieved by reinforcing the Tukwila Urban Center's strengths and increasing its overall attractiveness. This would support both existing businesses and the continuation of market-sensitive transitions.

Tukwila Comprehensive Plan, at 112 (2008).

Again, we appreciate this opportunity to comment on the draft plan and we look forward to working with City staff. Thank you.

Very truly yours,



George A. Kresovich

E-Mail: gak@hcmp.com

cc: Brandon Lee
Forrest Russell
Lynn Miranda
Brent Carson
Randy Bannecker

ND: 19789 002 4850-2176-7939v1

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From discussions with staff, we believe that it is not the intent to discourage reinvestments in the existing centers. The intent is to drive change when major redevelopment occurs. It is with that understanding of intentions that we offer the following comments in the chart/table.

Standards and Regulations																										
		Use	Min Height	Max Height	Max Tower Bulk	Max Block Size	Building Orientation	Public Frontage Improvements	Private Frontage Types	Front Yard Setback	Side Yard Set Back	Rear Yard Set Back	Alley Setback	Frontage Coverage	Build to Corner	Special Corner Locations	Building Length	New Street Regulations	Open Space Regulations	Landscaping Regulations	Site Component Regulations	Provision of Parking	Parking Types and Location	General Parking Requirements and Guidelines	Building Massing Regulations	Architectural Elements Regulations
Type of Development																										
New Construction																										
Expansion of Existing Structures - applies only to new floor area																										
			12, 5	12			12, 5, 7	12, 5, 8	12, 9					12, 4, 7	12	12	12, 6	12, 10		1			12, 3	12		2, 12
Exterior Alterations- Major Retail Centers																										
							13		9										1		11					2
Substantial Alterations																										
							7	8	9				7				6, 7	7		1			3			2
Change in Use																										
Tenant Improvements																										
Land Division																										
Site Modifications																										
No issues with proposed standards and regulations																										
No issues with proposed standards and regulations																										
No issues with proposed standards and regulations																										
No issues with proposed standards and regulations																										
Specific Comments on the Overall Plan																										
General Urban Standards Scale Zone must also give Anchors the (A1) notation and not solely the (A2)																										
The definition of major retail center definition needs to be defined by legal fee ownership and not by proximity or operational agreements																										
Fig 18.28.013 Form Map indicates that shop front private frontage type would be required on 3 sides of the Target property boundary. Compliance would require the loss of the current target building																										